

FORM PTO-1390
(REV. 10-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

01192/HG

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/806650

INTERNATIONAL APPLICATION NO.
PCT/JP99/05448

INTERNATIONAL FILING DATE
4 October 1999

PRIORITY DATE CLAIMED
5 October 1998

TITLE OF INVENTION ANTIBACTERIAL AGENTS AND PROCESS FOR PRODUCING THE SAME

APPLICANT(S) FOR DO/EO/US Masato NAGAOKA; Hideyuki SHIBATA; Itsuko TAKAGI; and
Shusuke HASHIMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Other items or information: Copies of:
 - (i) WO 00/20009, the 18-month publication of PCT/JP99/05448
 - (ii) REQUEST PCT/RO/101 (PCT EASY Form)
 - (iii) NOTICE PCT/IB/308
 - (iv) INFORMATION PCT/IB/332
 - (v) Int. Prel. Exam. Report PCT/IPEA/416 & 409
 - (vi) Drawings (Figs. 1 & 2) for the Examiner's convenience

Express Mail Mailing Label No.:

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Date of Deposit:

April 2, 2001

I hereby certify that this paper and any papers identified herein is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Lori Valdes
Lori Valdes

ASSIGNMENT INFORMATION FOR RECORDATION:

KABUSHIKI KAISHA YAKULT HONSHA
1-19, Higashishinbashi 1-chome, Minato-ku,
Tokyo, 105-0021, Japan

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Search Report has been prepared by the EPO or JPO \$860.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) \$690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$750.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,000.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	7 - 20 =	0	X 18.00
Independent claims	1 - 3 =	1	X 80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 270.00
TOTAL OF ABOVE CALCULATIONS =			\$ 860.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).			\$
SUBTOTAL =			\$ 860.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$
TOTAL NATIONAL FEE =			\$ 860.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+ \$ 40.00
TOTAL FEES ENCLOSED =			\$ 900.00
			Amount to be refunded \$
			charged \$

a. ☒ A check in the amount of \$ 900.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1378. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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PATENT TRADEMARK OFFICE

Date: April 2, 2001

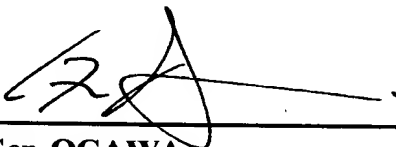
SIGNATURE

Herbert Goodman

NAME

17,081

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Application No. :****U.S. National Serial No. :****PCT International Application No. : PCT/JP99/05448****VERIFICATION OF A TRANSLATION****I, the undersigned translator, hereby declare that :****My name and post office address are as stated below;****That I am knowledgeable in Japanese language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP99/05448 is a true and complete translation of the above identified international application.****I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.****Dated this 26th day of March, 2001, at Tokyo, Japan****Full name of the translator :**

Gen OGAWA**Post Office Address :****SANWA INTERNATIONAL PATENT OFFICE,
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21-19, Toranomon 1-chome, Minato-ku, Tokyo,
105-0001 JAPAN**